

CRIMINAL DOCKET - U.S. District Court

U.S.

(LAST, FIRST, MIDDLE)

| | | |
|---------------------------------------|----------------------|------------|
| Case Filed Mo. Day Yr. 05 11 93 | Docket No. 00019 | Def. 02 |
| No. of 2 | U.S. MAG CASE NO. | 93-17M-7 |

| | | | | | |
|--|----------|-------------------|-----------------------------------|-----|----------------|
| PO <input type="checkbox"/> 0417 | 7 | Assigned 1707 | <input type="checkbox"/> WRIT | VS. | BROWN, Kenneth |
| Misd. <input type="checkbox"/> | | Dispos./Sentence | <input type="checkbox"/> JUVENILE | | |
| Felony <input checked="" type="checkbox"/> | District | Off Judge/Magistr | <input type="checkbox"/> ALIAS | | |

I. CHARGES

| U.S. TITLE/SECTION | OFFENSES CHARGED | ORIGINAL COUNTS | DISM. NG | GUILTY HOLD |
|--------------------|---|-----------------|-------------------------------------|-------------|
| 21:846 | poss. w/intent to distr. cocaine base (crack) | 1 | <input checked="" type="checkbox"/> | |

II. KEY DATE

| INTERVAL ONE | END ONE AND/OR BEGIN TWO (OR RESTART PERIOD TO TRIAL) | END INTERVAL TWO |
|--|--|--|
| KEY DATE 4/14/93 EARLIEST OF <input type="checkbox"/> arrest <input type="checkbox"/> sum'ns <input type="checkbox"/> custody <input checked="" type="checkbox"/> appears-on complaint | KEY DATE 5/11/93 APPLICABLE <input checked="" type="checkbox"/> indictment filed/unsealed <input type="checkbox"/> consent to Magr. trial on complaint <input type="checkbox"/> Information <input type="checkbox"/> Felony W/waiver | KEY DATE 8-19-93 APPLICABLE <input checked="" type="checkbox"/> Dismissal <input type="checkbox"/> Pled guilty <input type="checkbox"/> Nolo <input type="checkbox"/> Trial (voir dire) began <input type="checkbox"/> Jury <input type="checkbox"/> N.J. |

| | | | | | | | | | |
|---|-------------|-----------------|----------|-----------------|------------------|---------------|-----------------------|---|-------------------------------|
| 1st appears with or waives counsel 4/19/93 | ARRAIGNMENT | 1st Trial Ended | RE-TRIAL | 2nd Trial Began | DISPOSITION DATE | SENTENCE DATE | PTD Nolle Pros. | FINAL CHARGES DISMISSED on S.T. grounds <input type="checkbox"/> W.P. <input type="checkbox"/> WOP | on def motion on gov't motion |
|---|-------------|-----------------|----------|-----------------|------------------|---------------|-----------------------|---|-------------------------------|

| | | |
|--|--|---|
| III. MAGISTRATE | INITIAL/NO. | OUTCOME: |
| Search Warrant Issued Summons Issued Arrest Warrant Issued COMPLAINT Date of Arrest 4/14/93 | INITIAL APPEARANCE DATE 4/14/93 PRELIMINARY EXAMINATION <input type="checkbox"/> REMOVAL HEARING <input type="checkbox"/> WAIVED <input type="checkbox"/> NOT WAIVED <input type="checkbox"/> INTERVENING INDICTMENT | HELD FOR GJ OR OTHER PRO. CEEDING IN THIS DISTRICT HELD FOR GJ OR OTHER PRO. CEEDING IN DISTRICT BELOW |

| | | |
|--|---|---|
| Show last names and suffix numbers of other defendants on same indictment/information: 01-D. Brown ATTORNEYS U.S. Attorney or Asst. Wm. Webb | Defense: 1 <input type="checkbox"/> CJA. 2 <input type="checkbox"/> Ret. 3 <input type="checkbox"/> Waived. 4 <input type="checkbox"/> Self. 5 <input type="checkbox"/> Non / Other. 6 <input checked="" type="checkbox"/> PD. 7 <input type="checkbox"/> CD 28 Maynard Springfield, Ma. 01109 COUNTY CODE - 37129 70 days up: 7/20/93 90 days up: 7/18/93 | RULE 20 21 40 In Out BAIL • RELEASE PRE-INDICTMENT Release Date 4/19/93 Bail Denied <input type="checkbox"/> Fugitive <input type="checkbox"/> Pers. Rec. <input type="checkbox"/> PSA AMOUNT SET \$50,000 Unsecured Date Set 4/19/93 Bail Not Made <input type="checkbox"/> Collateral <input type="checkbox"/> 3rd Ptry <input type="checkbox"/> Other POST-INDICTMENT Release Date Bail Denied <input type="checkbox"/> Fugitive <input type="checkbox"/> Pers. Rec. <input type="checkbox"/> PSA AMOUNT SET Date Set Bail Not Made <input type="checkbox"/> Collateral <input type="checkbox"/> 3rd Ptry <input type="checkbox"/> Other |
|--|---|---|

| | | | | | | | | | | | |
|-------------------------------|----------------|-------------|-----------------|----------------|-------------|--------------------------------------|----------------|-------------|-----------------|----------------|-------------|
| FINE AND RESTITUTION PAYMENTS | | | | | | Docket Entries Begin On Reverse Side | | | | | |
| DATE | RECEIPT NUMBER | C.D. NUMBER | DATE | RECEIPT NUMBER | C.D. NUMBER | DATE | RECEIPT NUMBER | C.D. NUMBER | DATE | RECEIPT NUMBER | C.D. NUMBER |
| 90 days up 7/22 | 7/22 | 7/22 | 90 days up 7/22 | 7/22 | 7/22 | 90 days up 7/22 | 7/22 | 7/22 | 90 days up 7/22 | 7/22 | 7/22 |

IV. NAMES & ADDRESSES OF ATTORNEYS, SURETIES, ETC.

PTD: 9/13-14/13

| DATE DOCUMENT NO | | Yr | Docket No | Def. | MASTER DOCKET - MULTIPLE DEFENDANT CASE PROCEEDINGS DOCKET FOR SINGLE DEFENDANT | PAGE <u> </u> OF <u> </u> | VI EXCLUDABLE DELAY | | | LETTER CODES |
|---------------------|-----|----|-----------|------|--|-------------------------------------|-------------------------------|-------------|---------------|--|
| | | | | | | | Start Date End Date | Ltr Code | Total Days | For identifying periods of exclud- able delay per 18 USC 3161 (h) (Sections in brackets) |
| | | 93 | 00019 | 02 | | | | | | |
| | | | | | V. PROCEEDINGS | | | | | |
| | | | | | K. BROWN | | | | | |
| 4/14/93 | 1. | | | | CRIMINAL COMPLAINT - U/No. 93-17-M-7MA | sr | | | | |
| | -- | | | | RETURN ON WARRANT on Complaint - received 4/14/93 and executed 4/13/93 - M. Grimes-DEA | sr | | | | |
| | 2. | | | | MOTION FOR REPTRIAL DETENTION by Govern. | sr | | | | |
| | -- | | | | I.A. - Wilm. - Mason - Recorded | | | | | |
| | | | | | Deft. sworn - advised of rts., penalties, CJA 23 completed - approved | | | | | |
| | | | | | Det. request - prel exam/det hr. set for 4/19/93 | sr | | | | |
| | 3. | | | | ORDER - appointing the FPD - (Mason, M/J) - lc: FPD w/CJA 23 USPS and USA | sr | | | | |
| | 4. | | | | ORDER OF TEMPORARY DETENTION PENDING HEARING PRUSUANT TO RAIL REFORM ACT - det. hr. set for 4/19/93 at 9:30 A.M. before M/J Mson - (Mason, M/J) cy.s distr. by wilm. office. | sr | | | | |
| 4/19/93 | -- | | | | PREL/EXAM/DET. HR. - Wilm. - Mason - Recorded | | | | | |
| | | | | | Evidence heard - deft. released on bond | | | | | |
| | 5. | | | | ORDER SETTING CONDITIONS OF RELEASE - \$50,000 unsecured w/ conds. (Mason, M/J) - cys. distr. | sr | | | | |
| 4/26/93 | 6. | | | | APPERANCE BOND - \$50,000 unsecured - cys. distr. | sr | | | | |
| | 7. | | | | ORDER ON PRELIMINARY EXAMINATION w/det. order attached - deft released on bond. (Mason,J) lc: USA, FPD, USM and USPS (ent. 5/13/93) | sr | | | | |
| 5/11/93 | 8. | | | | INDICTMENT - lc: USA, USPO, PTS, USM, FPD, M/J Dixon, Judge Fox and Wilm. Office. | sr | | | | |
| 5/14/93 | 9. | | | | PRETRIAL SCHEDULING ORDER - discovery - 6/1/93 motions - 6/11/93 responses - 6/21/93 (Dixon, M/J) lc: USA, Judge Fox and FPD (ent. 5/14/93) | sr | | | | |
| 6/11/93 | -- | | | | TRANSCRIPT of Tape REcorded Probable Cause and Detention Hearing - 4/19/93 - Wilm. - Judge Mason - Williams Reporting P. O. Box 20763 - 782-3553 | sr | | | | |
| 6/11/93 | 10. | | | | MOTION FOR A BILL OF PARTICULARS by deft. - lc: M/J Dixon | | 6/11/93 | | | |
| | 11. | | | | MOTION FOR DISCLOSURE OF EVIDENCE CONCERNING CONFIDENTIAL INFORMANTS(s) and MEMORANDUM OF LAW w/cs. by deft. lc: M/J Dixon | sr | 7-23-93 6/11/93 7-23-93 | | | |
| | 12. | | | | MOTION FOR GOVERNMENT AGENTS TO RETAIN ROUGH NOTES w/cs. - lc: M/J Dixon | sr | 6/11/93 7-23-93 | | | |
| | 13. | | | | MOITON FOR DISLCOSURE OF EVIDENCE OF OTHER, WRONGS or acts w/cs. - lc: M/J Dixon | sr | 6/11/93 7-23-93 | | | |
| 6/16/93 | 14. | | | | GOVERNMENT'S MOTION FOR ENLARGEMENT OF TIME TO RESPOND TO PRETRIAL MOTIONS w/cs. - lc: M/J Dixon | sr | 6-16-93 6-21-93 | | | |
| 6/21/93 | 15. | | | | ORDER - 1. govern's m/ext. time to respond is allowed - ext. to 6/30/93 2. trial is to be calendared for 8/9/93 in Wilm. - excludable u/18:3161(h) (Fox, J) Cr. OB#14, P. 66 - lc: USA, USPO, PTS, USM, FPD and M/J Dixon (ent. 6/21/93) | sr | 7/26/93 8/9/93 | 14 | | |
| 6/22/93 | 16. | | | | ORDER - govern's m/ext. time for responses to defts' motions until 6/30 is allowed. (Dixon, M/J) Cr. OB#14, P. 68 - lc: USA, FPD and Judge Fox (ent. 6/22/93) | sr | | | | |
| 6-30-93 | 17. | | | | RESPONSE TO MOTIONS by USA w/ | sr | | | | |

For identifying
periods of exclud-
able delay per 18
USC 3161 (h) (Sections
in brackets)

A Exam or hearing
for mental/physi-
cal incapacity
(18 USC 4244)~
[(1)(A)]

B NARA exam (18
USC 2602) [(1)(B)]

C State/Fed. pro-
ceedings on other
charges [(1)(D)]

D Interlocutory ap-
peal [(1)(E)]

E Pretrial motion
(from filing to
hearing or to other
prompt disposition)
[(1)(F)]

F Transfer from other
district per FRCP
20.21 or 40 or Mag.
Rule 6a [(1)(G)]

G Proceedings under
advisement, not to
exceed 30 days,
after all neces-
sary submissions
filed and hearings
completed [(1)(J)]

H Misc. proceedings:
arraignment, parole/
probation, revocation,
Deportation, extra
diction [(1)]

I Defferal of prose-
cution (per 28 USC
2502) [(1)(C)]

J Transportation from
another district or
to/from examination
or hospitalization
in 10 days or less
[(1)(H)]

K Consideration of
Court of proposed
plea agreement [(1)(I)]

L Prosecution deferred
by mutual agreement
[(2)]

M Unavailability of de-
fendant or essential
witness [(3)(A,B)]

N Period of mental/physi-
cal incompetence
of def. to stand
trial [(4)]

O Period of NARA
commitment/treat-
ment [(5)]

P Superseding indict-
ment and/or new
charges [(6)]

R Def. awaiting trial
of co-defendant &
no severance has
been granted [(7)]

T Continuances
granted per (h)(8)
use "T" alone if more
than one of the fol-
lowing reasons (T1
thro T4) is given in
support of conti-
nuance (8)(A,B))

T1 Failure to continue
would stop further
proceedings or
result in miscarriage
of justice [(8)(B,ii)]

T2 Case unusual or com-
plex [(8)(B,ii)]

T3 Indictment
arrest can't be made
in 30 days [(8)(B,iii)]

T4 Continuance granted
to obtain or substi-
tute counsel, or give
reasonable time to
prepare [(8)(B,iv)]

U Time up to withdraw
guilty plea, 3161(i)

W Grand Jury indictment
time extended 30 more
days, 3161 (b)

UNITED STATES DISTRICT COURT
CRIMINAL DOCKET

U. S. vs

BROWN, Kenneth

93-19-02-CR-7F

AO 256A

Yr. Docket No. Def.

| DATE | PROCEEDINGS (continued) | V. EXCLUDABLE DELAY | | | |
|---------|--|---------------------|--------------------|-----|-----|
| | | (a) | (b) | (c) | (d) |
| 7/21/93 | ISSUED NOTICE TO APPEAR - set for arrgn & trial on 8/9/93 at 9 A.M. in Wilm. before Judge Fox - lc: USA and FPD | sr | | | |
| 7/23/93 | 18. ORDER - 1. Disclosure of Informants - govern's filing will be complete by 7/30 - after which the court will review the material to determine whether pretrial disclosure is appropriate 2. Motion for Rule 404(b) evidence - DENIED 3. Promises, Inducements and Impeaching Inform- DENIED 4. Preservation of Rough Notes - allowed 5. Bill of Particulars - particularized stm. be given over w/n 10 days of trial (same as 404(b) material) (Dixon, M/J) Cr. OB#14, P. 106 lc: USA, Mr. Beaver and Judge Fox (ent. 7/23/93) sr | | | | |
| 8/2/93 | 19. MOTION FOR ENLARGEMENT OF TIME WITHIN WHICH TO RESPOND TO PRETRIAL ORDER by Govern (filed 7/23/93 in co-deft. case.) - lc: faxed to M/J Dixon | sr | | | |
| 8/4/93 | 20. ORDER - case continued from 8/9/93 session to 9/13/93 at Wilm. - time excludable u/18:3161(h) - (Fox, J) Cr. OB#14, P. 117 - lc: USA, USPO, PTS, USM, FPD and M/J Dixon (ent. 8/4/93) sr | | 8/9/93 9/13/93 | 35 | |
| 8/5/93 | 21. MOTION TO SEAL w/prop. order and Attachments. - lc: M/J Dixon. (In separate file in co-deft. 01 file) | sr | 8/5/93 | | |
| 8/11/93 | 22. Order - Court has reviewed in camera materials Accordingly, on these facts, disclosure is required. Govt. is free to choose from among a number of alternatives a method of making its informants available to deft. (Wallace W. Dixon, Mag. Judge CR OB #14 P 128) lc: USA & counsel for deft. | | | | |
| 8/18/93 | 23. MOTION TO DISMISS- Indictment by USAtty w/cs. - lc: Judge Fox w/prop. order. | sr | 8/18/93 8/18/93 | | |
| 8/18/93 | ISSUED NOTICE TO APPEAR - set for arrgn & trial on 9/13/93 at 9 A.M. in Wilm. before Judge Fox - lc: USA and FPD | sr | | | |
| 8/19/93 | 24. ORDER FOR DISMISSAL - indictment dismissed. (Fox, J) Cr. OB#14, P. 146 - lc: USA, USPO, PTS, USM, FPD and Mr. Beaver and M/J Dixon (ent. 8/19/93) sr | sr | | | |

AO 256A

| Case 7:93-cr-00019-F Document 2 Filed 04/14/93 Page 4 of 4 | Start Date | Ltr. Code | Total Days |
|--|------------|-----------|------------|
| (per Section II) | End Date | | |